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EXAMINER
THAI, CUONG T

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.		Applicant(s)
Office Action Summary	09/851,466		ROSEN, MIKE
	Examiner		Art Unit
	CUONG T THAI		2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _Feb/14/2004 Amendment A_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-35_ is/are pending in the application.

    4a) Of the above claim(s) _6,17 and 27_ is/are withdrawn from consideration.

5)☒ Claim(s) _33-35_ is/are allowed.

6)☒ Claim(s) _1-4,7-15,18-25 and 28-32_ is/are rejected.

7)☒ Claim(s) _5,16 and 26_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _17 February 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

PART III.   DETAIL ACTION

1.   This action is responsive to Amendment A filed on Feb/17/2004. Prosecution is

hereby REOPENED.

2.   Claims 1-35 are presented for examination. Claims 6, 17, 27 are canceled.

3.   The proposal drawing correction of Figs. 1-4B filed on Feb/17/2004 have been

reviewed and approved by the Examiner. However, formal drawings for these

corrections are required to be submitted.

4.   Claims 33-35 are objected to under 37 CFR 1.75 as being a substantial duplicate

of claims 5, 16, and 26. When two claims in an application are duplicates or else are so

close in content that they both cover the same thing, despite a slight difference in

wording, it is proper after allowing one claim to object to the other as being a substantial

duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102
> of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art
> to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

6.   Claims 1-4, 7-15, 18-25, and 28-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Shuping et al. (USPN: 6,3135,855) hereinafter Shuping in view of

Eichel (USPN: 6,459,435).

As per claims 1 (method) and 22 (computer readable medium), Shuping discloses a method of browsing the World Wide Web comprising the steps of:

Relating Web pages on said World Wide Web to each other consistent with a spatial organization is taught by Shuping as the technique of a past Web page, a current Web page, and a future Web page (see col. 2, lines 34-35) in a three dimensional space (see col. 2, lines 45-46) and more particular, Fig. 9 illustrated a Web browser 900 operating in a three dimensional environment that includes a current panel 910, a plurality of past panels 920 and a plurality of future panels 930 (see col. 9, lines 60-63 and see Fig. 9);

Simultaneously displaying multiple Web pages in multiple panels of a display in a manner consistent with spatial organization is taught by Shuping as the technique of rendering the current web page in a first panel, renders the past web page in a second panel, and renders a future web page in a third panels. The panels for rendering the various Web pages are provided in a three dimensional space (see col. 2, lines 35-46);

Allowing a user surfing the World Wide Web to move a Web page between panels of said display is taught by Shuping as the technique of user 110 may view one or more past web pages 225 in the past panel 220 contemporaneously with current web page 215 in current panel 210 (see col. 5, lines 37-39);

Designating at least one of said Web pages as an always there page is taught by Shuping as the technique of when a user 110 designates a particular Web page 225, 235 as a sticky Web page, that Web page 225, 235 remains at the designated location

on the respective wall 320, 330 regardless of changes in current Web page 215 (see col. 8, lines 31-35);

Responsive to a user moving a Web page between panels, automatically moving others of said Web pages among said panels, except said always there page and any page that, responsive to said movement would otherwise appear in said panel occupied by said always there page, in a manner that is consistent with said spatial organization is taught by Shuping as the technique of in operation, when a user 110 selects a new Web page, current web page 215 is transferred to past panel 220. To accommodate this transfer, the present invention shift past web pages 225 by one web page location thereby eliminate one web page from past panel 220 (see col. 5, lines 46-50) and when the user 110 selects a particular past Web page 225 (for example, past Web page 225A), the particular past Web page 225 on past wall 320 becomes current Web page 215 on current 310. Likewise, when user 110 selects a particular future Web page 235 (for example, future Web page 235A), the particular future Web page 235 on future wall 330 becomes current web page 215 on current wall 310 (see col. 8, lines 20-28). However, any past Web pages 225 and future Web pages 235 may become sticky Web pages on their respective walls 320 and 330. When a user 110 designates a particular Web page 225, 235 as a sticky Web page, that Web page 225, 235 remains at the designated location on the respective wall 320, 330 regardless of changes in current Web page 215 (see col. 8, lines 28-35);

Causing said always there page to remain in a particular panel regardless of movement of other web pages is taught by Shuping as the technique of when a user

110 designates a particular Web page 225, 235 as a sticky Web page, that Web page 225, 235 <u>remains at the designated location on the respective wall 320, 330 regardless of changes in current Web page 215</u> (see col. 8, lines 31-35) and if user 110 designates future Web page 235A as a sticky web page, future Web page 235A remains in the illustrated location regardless of new future Web pages 235 generated from hyperlinks 240 on any new current Web pages 215 selected during subsequent browsing (see col. 8, lines 38-43).

Shuping, however, does not discloses the limitation of designating at least one of said Web pages as always there page <u>responsive to data contained in said at least one Web page</u>.

Eichel discloses the limitation of designating at least one of said Web pages as always there page responsive to data contained in said at least one Web page as the technique of from the home page, a visitor can access other files and applications at a web site (see col. 8, lines 1-2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Eichel's teaching of home page as always there page wherein from that always there home page, user can access other data contained in that home page into Shuping's invention. By doing so, the system would be enhanced by allowing always there home page remains in active, while its end user perform surfing on other files or pages contained in that home page. Thus, the system would direct user back to the home page after finishing surfing the Web.

As per claim 12, the limitation of organizing and displaying separate computer files was treated by the Examiner as the method of browsing multiple Web pages as seen in claim 1 above. And due to the similarity of this claim to that of claim 1, this claim is therefore rejected for the same reasons applied to claim 1.

As per claims 2 (method), 13 (method), and 23 (computer readable medium); the limitation of responsive to movement by said user of a page displayed in one of said panels to another panel, moving said pages displayed in other of said panels correspondingly, except for said always there page is taught by Shuping as the technique of in operation, when a user 110 selects a new Web page, current web page 215 is transferred to past panel 220. To accommodate this transfer, the present invention shift past web pages 225 by one web page location thereby eliminate one web page from past panel 220 (see col. 5, lines 46-50) and when the user 110 selects a particular past Web page 225 (for example, past Web page 225A), the particular past Web page 225 on past wall 320 becomes current Web page 215 on current 310. Likewise, when user 110 selects a particular future Web page 235 (for example, future Web page 235A), the particular future Web page 235 on future wall 330 becomes current web page 215 on current wall 310 (see col. 8, lines 20-28). However, any past Web pages 225 and future Web pages 235 may become sticky Web pages on their respective walls 320 and 330. When a user 110 designates a particular Web page 225, 235 as a sticky Web page, that Web page 225, 235 remains at the designated location on the respective wall 320, 330 regardless of changes in current Web page 215 (see

col. 8, lines 28-35). These claim are therefore rejected for the reasons as set forth above.

As per claim 3 (method), 14 (method), and 24 (computer readable medium); the limitation of designating at least one of said web pages as an always there page is performed by said user as the technique of <u>when a user 110 designates a particular Web page 225, 235 as a sticky Web page,</u> that Web page 225, 235 remains at the designated location on the respective wall 320, 330 regardless of changes in current Web page 215 (see col. 8, lines 28-35). These claim are therefore rejected for the reasons as set forth above.

As per claims 4 (method), 15 (method), and 25 (computer readable medium); the limitations of positioning a cursor to one of said panels, said user performing an operation indicating a desire that <u>said at least one Web</u> page be designated as an always there page, and causing said page displayed within said panel within said cursor was positioned when the step of performing an operation was performed to be designated as said always there page are taught by Shuping as the technique of <u>sticky Web pages may be transferred to a separate panel in browsing room 300 (e.g., another wall, a ceiling, a floor, etc.</u>). In this embodiment, the <u>user may also "drag and drop"</u> the <u>Web page 225, 235 to so-called "sticky surface" to designate the Web page as a sticky Web page</u> (see col. 8, lines 45-49). These claims are therefore rejected for the reasons as set forth above.

As per claims 7 (method) and 28 (computer readable medium); the limitation of designating at least one of said Web pages as an always there page is performed automatically responsive to meta-data contained in <u>said at least one</u> Web page is taught by Shuping as the technique of if a user designates future Web page 235A as a sticky Web page, future Web page 235A remains in the illustrated location regardless of new future <u>web pages 235</u> generated from hyperlinks 240 on any new <u>current pages 215</u> selected <u>during subsequent browsing</u> (see col. 8, lines 38-43). These claims are therefore rejected for the reasons as set forth above.

As per claims 8 (method), 18 (method), and 29 (computer readable medium); the limitation of meta-data is embedded within said at least one <u>Web</u> page is taught by Shuping as the technique of current Web page 215 having one or more hyperlinks (illustrated as hyperlink 240A)(see col. 10, lines 3-5). These claims are therefore rejected for the reasons as set forth above.

As per claims 9 (method), 19 (method) and 30 (computer readable medium); the limitation of simultaneously displaying multiple Web pages in a manner that emulates at least three dimensional space is taught by Shuping as the technique of Fig. 9 illustrated a Web browser 900 operating in a three dimensional environment that includes a current panel 910, a plurality of past panels 920 and a plurality of future panels 930 (see col. 9, lines 60-63 and see Fig. 9). These claims are therefore rejected for the reason as set forth above.

As per claims 10 (method), 20 (method), and 31 (computer readable medium);

the limitation of wherein said spatial organization of Web pages corresponds to at least

a three dimensional spatial interrelationship is taught by Shuping as the technique of

Fig. 9 illustrated a Web browser 900 operating in a three dimensional environment that

includes a current panel 910, a plurality of past panels 920 and a plurality of future

panels 930. Other panels (not illustrated) such as a floor panel, a ceiling panel, a sticky

page panel, etc.(see col. 9, lines 60-65 and see Fig. 9). These claims are therefore

rejected for the reason as set forth above.

As per claims 11 (method), 21 (method), and 32 (computer readable medium);

the limitation of said page that would otherwise appear in a panel within always there

page is not displayed is taught by Shuping as the technique of any past Web pages 225

and future Web pages 235 may become sticky Web pages on their respective walls

320 and 330. When a user 110 designates a particular Web page 225, 235 as a sticky

Web page, that Web page 225, 235 remains at the designated location on the

respective wall 320, 330 regardless of changes in current Web page 215 (see col. 8,

lines 28-35). And when a user 110 selects a new Web page, current web page 215 is

transferred to past panel 220. To accommodate this transfer, the present invention shift

past web pages 225 by one web page location thereby eliminate one web page from

past panel 220 (see col. 5, lines 46-50). These claims are therefore rejected for the

reasons as set forth above.

Reasons for allowance

7.   Claims 5, 16, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8.   Claims 33-35 are allowed over the prior arts of record.

9.   The following is an examiner's statement of reasons for allowance:

Examiner has carefully considered claim 5 of the presented application. Claims 16 and 26 are objected for the same reason applied to claim 5. The Examiner also carefully considered claim 33 of the presented application. Claims 34-35 are allowed for the same reasons applied to claim 33. None of the cited art including Shupping et al. (USPN: 6,313,855), Tsuda et al. (USPN: 6,577,330), Robertson et al. (USPNs: 6,486,895 and 5,670, 984), Hearst et al. (USPN: 6,297,824), Czerwinski et al. (USPN: 6,188,405), Nakano et al. (USPN: 6,043,818), Horvitz et al. (USPN: 5,880,733) nor Eichel (USPN: 6,459,435) discloses, suggest, nor teaches the limitation of designating at least one of said Web pages as always there page performing by user operation further comprising the step of <u>causing a menu to be displayed, said menu including an option to designate said at least one Web page as an always there page</u>.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance.".

10.   Applicant's arguments filed on Feb/17/2004 have been fully considered, but they

are not persuasive.

On the last paragraph of page 17, Applicant traverses the rejections of claims 6,

17, and 27 "More specially, these claims recited the limitation that the "always there"

page/file was designated as such based on information contained in the page/file". The

Examiner does agree that Shuping lack of the teaching of "always there" page/file was

designated as such based on information contained in the page/file. However, this

limitation is taught by Eichel as the technique of from the home page (which support to

be always there page), a visitor can access other files and applications at a web

site. For example, the Web site of the International Business Machines

Corporation includes thousands of web pages and files spread out over multiple

Web servers in locations world wide (see col. 8, lines 1-7).

On the first paragraph of page 18, Applicant agues that "this limitation pertains to

the alternate embodiment of the invention discussed on pages 12-13 of the specification

in which the user does not designate which page is the always there page, but rather

the Web site operator designates it by, for instance, embedding meta data into the Web

page or pages of the site". The Examiner, however, does not agree to this argument

because Eichel disclose the Web site operator designs the shopping cart page as an

always there page as the technique of from the home page (which support to be always

there page), a visitor <u>can access</u> other files and applications at a web site. For example,
<u>the Web site of the International Business Machines Corporation includes</u>
<u>thousands of web pages and files spread out over multiple Web servers in</u>
<u>locations world wide</u> (see col. 8, lines 1-7) and this always there home page of IBM
Corporation is designed by the IBM Web designer, not by user who accesses IBM
Web site. This IBM web site is read only web site made to public, public can gain
access to this read only IBM web site and unable to write to it. By doing so, it would
maintain data for security reason.

On the last paragraph of page 18 to the first paragraph of page 19, Applicant
agues that "The cited section of Shuping does not discloses anything other than the fact
that the user of the browser can designate a page as a "sticky" page, which is the exact
opposite of what is being claimed in these claims. There is nothing in the cited section
of Shuping, nor the Office's explanation of that section that suggests anything else. The
fact that the sticky page stays in its location "during subsequent browsing" says nothing
about from where the information that it is a sticky page is derived. The fact that the
user of the browser designated it as a sticky page clearly demonstrates that such
designation is not based on information contained in the page itself, but it based on an
action of the user......Therefore, independent claims 1, 12, and 22 patentably
distinguish over the prior art of record.". The Examiner does agree that Shuping's
"during subsequent browsing" says nothing about from where the information that it is a
sticky page is derived. However, the cited art issued to Eichel discloses "the fact that
the user of the browser designated it as a sticky page clearly demonstrates that such

designation is based on information contained in the page itself" as the technique of

from the home page (which support to be always there page), a visitor can access

other files and applications at a web site. For example, the Web site of the

International Business Machines Corporation includes thousands of web pages and files

spread out over multiple Web servers in locations world wide (see col. 8, lines 1-7) and

this always there home page of IBM Corporation is designed by the Web operator.

On the second paragraph of page 19, with respect to claim 12, Applicant

mentions that "Note that independent claim 12 is slightly different in scope from claims 1

and 22 in that claim 12 recites that the data designating a particular page as an always

there page is contained in a Web page". The Examiner, however, does not agree to this

statement since the limitation of "the data designating a particular page as an always

there page is contained in a Web page" is taught by Eichel as the technique of links to

related site 408 designating of always there BlueBolt Networks 404 is contained in the

BBN/BBNHOME.HTML (see Fig. 4 and see col. 13, lines 36-40). Thus, the system

would allowing user to gain access and navigate among the links of related site 408 of

home page BlueBolt Nework 404.

On the last paragraph of page 19, Applicant agues that "dependent claims 7 and

28 depend from newly amended claims 1 and 22 and add the data is contained in meta

data in the Web pages. Hence, these claims even further patentably distinguish over the

prior art of record". The Examiner, however, does not agree to this argument since the

limitation of "the data is contained in meta data in the Web pages" is taught by Shuping as the technique of when the user 110 selects a new web page, web browser searches the web page data contained with the new web page for any hyperlinks 240 included therein. If a hyperlink 240 is located, web browser automatically retrieves the web page data referenced by hyperlink 240 and renders it as future web page 235 in future panel 230. In this manner, user 110 may view future web pages 235 without having to manually drill down to them via hyperlinks 240 (see col. 6, lines 27-34).

On page 20; with respect to claims 10, 20, and 31; Applicant agues that "nevertheless, the dependent claims add even further distinguishing limitations. For instance, claims 10, 20, and 31 add the limitations that the spatial organization of Web pages (or files) corresponds to at least a three dimensional spatial interrelationship. Specially, the point of these claims is that the pages that comprises this virtual three dimensional virtual space contain data that correspond to some actual three dimensional organization and that the arrangement of the pages in the virtual space corresponds to an arrangement of the data represented by those pages in actual space." The Examiner, however, does not agree to this argument since Shuping discloses "Web pages (or files) corresponds to at least a three dimensional spatial interrelationship" as the technique of when the user 110 selects a new Web page, Web browser search the Web page data associated with the new Web page for any hyperlinks 240 included therein. If a hyperlink is located, Web browser automatically retrieves the Web page data represented by hyperlink 240 and renders the Web page

data referenced by hyperlink 240 and renders it as further Web page 235 in future panel

230 (see col. 6, lines 28-33). In particular, Fig. 3 illustrated a browsing room 300

operating <u>in a three dimensional environment space</u>. Browsing room 300 includes a

current <u>wall 310</u> and at least one of a <u>past wall 320</u> and a <u>future wall 330</u>. Preferably,

browsing room 300 includes both past wall 320 and future wall 330. These walls 310,

320, and 330 operate in a manner similar to their counterpart <u>panels 210, 220 and 230</u>

as described above. In one embodiment of the invention, browsing room 300 may also

include a floor 340. Browsing room 300 and the three dimensional environment are

implemented using various well known three dimensional rendering tools such as

OpenGL available from Silicon Graphics Corporation or DirectX available from

Microsoft. These tools allow various abstractions including active objects such as Web

browser and passive objects such as images <u>to be embedded</u> on objects in three

dimensional environment (see col. 6 line 54 to col. 7 line 3). Thus, by using walls 310,

320 and 3330 as well as panels 210, 220, and 230 and Web browser and passive

objects such as images <u>to be embedded</u> on objects in three dimensional environment,

Shuping discloses of a three dimensional spatial interrelationship.

On page 21; with respect to claims 11, 21, and 32; Applicant agues that

"Dependent claims 11, 21, and 32 add even further distinguishing recitation. These

claims all recite the feature that, when the user navigates through the virtual space so

as to cause a Web page to logically by required to move onto the panel occupied by the

always there page, that page is simply not displayed. In essence, it is hidden by the

always there page unless and until the Web pages are shift again to cause that page to

logically be required to be displayed in another panel that is not occupied by an always there page.". The Examiner, however, does not agree to this argument since the feature of "when the user navigates through the virtual space so as to cause a Web page to logically by required to move onto the panel occupied by the always there page, that page is simply not displayed. In essence, it is hidden by the always there page unless and until the Web pages are shift again to cause that page to logically be required to be displayed in another panel that is not occupied by an always there page" is taught by Shuping as the technique of in Fig. 2 when a user 110 selects a new Web page, current web page 215 in current panel 210 (see col. 5, lines 61-62) is transferred to (move onto) past panel 220 (wherein any past Web pages 225 and future Web pages 225 may become sticky Web page (always there) (see col. 8, lines 28-30). To accommodate this transfer, the present invention shift past web pages 225 by one web page location thereby eliminate one web page from past panel 220 (see col. 5, lines 46-50), and sticky web pages may be transferred (displayed) to a separate (another) panel in browsing room 300 such as another wall, a ceiling, or a floor, etc. (see col. 8, lines 45-47).

Conclusion

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG T THAI whose telephone number is (703) 308-7234. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached at (703) 308-3116.

The fax numbers for the organization where this application or proceeding is

assigned are as follows:

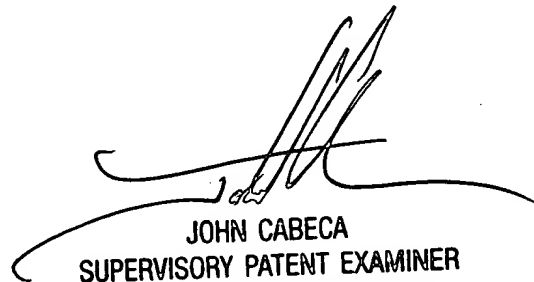(703) 746-7238 (After Final Communication)

(703) 872-9306 (Official Communication)

(703) 746-7240 (For status inquiries, Draft Communication).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

8000.

CUONG T THAI
Examiner
Art Unit 2173

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May 11, 2004

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100